

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Chairwoman Elsie Arntzen, on February 10, 2009 at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Elsie Arntzen, Chairwoman (R)  
Rep. Gary MacLaren, Vice Chairman (R)  
Rep. Arlene Becker (D)  
Rep. Gerald Bennett (R)  
Rep. Tom Berry (R)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. Robin Hamilton (D)  
Rep. Pat Ingraham (R)  
Rep. Mike Menahan (D)  
Rep. Michael More (R)  
Rep. Scott Reichner (R)  
Rep. Michele Reinhart (D)  
Rep. Diane Sands (D)  
Rep. Wayne Stahl (R)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Betsy Hands, Vice Chairwoman (D)  
Rep. Wanda Grinde (D)

**Members Absent:** None

**Staff Present:** Katie Butcher, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing: HB 406, HB 420, HB 426, HB 436  
Executive Action: None

00:00:00 Call to order  
(Rep. Hands arrived)

**HEARING ON HB 406**

**Opening Statement by Sponsor:**

00:03:19 Rep. Michele Reinhart (D), HD 97, opened the hearing on  
HB 406, Revise county interim zoning law.

00:09:43 Rep. Ebinger  
00:10:00 Rep. Reinhart

**Proponents' Testimony:**

00:10:37 Myra Shults, Montana Association of Counties  
00:18:13 Linda Stoll, Montana Association of Planners  
00:20:01 Gordon Morris, Lewis and Clark Commission

**Opponents' Testimony:**

(Rep. Grinde arrived)

00:20:50 Steve White, Commissioner, Gallatin County  
00:24:57 Daniel Cox, Connor, Montana  
00:26:57 Greg Chilcott, Commissioner, Ravalli County  
00:28:08 Bill Gallagher, Helena, Montana

**EXHIBIT(loh31a01)**

00:30:13 Glenn Oppel, Montana Association of Realtors

**EXHIBIT(loh31a02)**

00:33:29 Dustin Stewart, Montana Building Industry Association  
00:34:37 Liane Taylor, Helena Association of Realtors  
00:37:31 Dave Galt, Montana Petroleum Association  
00:38:33 Jan Wisniewski, Ravalli County Planning Board, Darby  
Community Planning Committee (CPC)  
00:40:56 Ryan Morton, Missoula Building Industry Association  
00:41:41 Paul Wilson, Victor, Montana

**EXHIBIT(loh31a03)**

00:42:43 Steve Wade, Montana Contractors Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:43:20 Rep. Ingraham  
00:43:52 Mr. White  
00:44:43 Rep. Ingraham  
00:45:20 Mr. Wilson  
00:46:13 Rep. Hands  
00:46:56 Mr. Morris

00:47:38 Mr. White  
00:47:41 Rep. Hands  
00:48:05 Mr. White  
00:49:29 Rep. Reichner  
00:49:55 Dale Lauman, Commissioner, Flathead County

**Closing by Sponsor:**

00:51:08 Rep. Reinhart  
  
00:54:13 Break  
01:02:08 Reconvene

**HEARING ON HB 426**

**Opening Statement by Sponsor:**

01:02:30 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 426, Clarify appointment of commissioners for regional airport authority.

[EXHIBIT\(loh31a04\)](#)

**Proponents' Testimony:**

01:07:40 Rep. Deborah Kottel, HD 20, Great Falls  
01:10:54 Joe Briggs, Commissioner, Cascade County, Montana  
Association of County Officials  
01:11:54 Loren Smith, General Aviation, Montana Pilots  
Association - Great Falls Division

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:12:46 Rep. More  
01:13:23 Rep. Ebinger  
01:13:47 Rep. Milburn  
01:14:38 Chairwoman Arntzen  
01:14:48 Rep. Milburn  
01:14:55 Rep. Kottel

**Closing by Sponsor:**

01:15:30 Rep. Milburn

**HEARING ON HB 420**

**Opening Statement by Sponsor:**

01:16:15 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 420, Allow local government to adopt energy conservation building codes.

**Proponents' Testimony:**

1:21:00 David Warner, Helena, Montana  
1:23:07 Mauren Weiland, Associated Students of Montana State University  
1:23:47 Tyler Evilsizer, Student Advocates for Valuing the Environment (SAVE)  
(Chairwoman Arntzen asked Rep. Becker to serve as temporary chair)  
1:25:09 Alec Hanson, League of Cities and Towns  
1:28:15 Gordon Morris, Lewis and Clark Commission  
1:29:04 Allison Savage  
1:29:56 Kyla Weins, Montana Environmental Information Center

**Opponents' Testimony:**

01:31:02 Dustin Stewart, Montana Building Industry Association  
**EXHIBIT (loh31a05)**  
01:36:24 Ryan Morton, Missoula Building Industry Association  
01:40:02 Ron Bartsch, Helena Building Industry Association (HBIA), Montana Building Industry Association (MBIA)  
01:44:00 Jack Walsh, Helena Building Industry Association (HBIA)

**Informational Testimony:**

01:45:52 David Cook, Building Codes, Department of Labor and Industry

**Questions from Committee Members and Responses:**

01:46:12 Rep. Reichner  
01:47:23 Rep. Reinhart

**Closing by Sponsor:**

01:50:04 Rep. Reinhart  
  
01:51:26 Break  
(Vice Chairman MacLaren returned, and Rep. Becker relinquished the gavel.)  
01:58:37 Reconvene

**HEARING ON HB 436**

**Opening Statement by Sponsor:**

01:58:58 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 436, Qualifications for office of sheriff--required training certification.

**Proponents' Testimony:**

02:03:48 Jim Cashell, Gallatin County Sheriff; Board Member, Montana Sheriffs and Peace Officer Association  
02:08:03 Daryl Anderson, Lincoln County Sheriff; President, Montana Sheriffs and Peace Officer Association  
02:09:32 Tony Harbaugh, Custer County Sheriff; Secretary/Treasurer, Montana Sheriffs and Peace Officer Association  
02:11:45 John Walsh, Butte/Silver Bow County Sheriff  
02:13:13 Leo Dutton, Sheriff, Lewis and Clark County; First Vice President, Montana Sheriffs and Peace Officer Association  
02:14:46 Jim Dupont, Flathead County Sheriff  
02:15:43 Pam Bucy, Montana Police Protective Association, Montana Association of Chiefs of Police  
02:16:36 Kevin Olson, Administrator, Montana Law Enforcement Academy; Department of Justice  
02:17:09 Gordon Morris, Helena, Montana  
02:19:55 Jim Smith, Montana Sheriffs and Peace Officer Association, Montana County Attorneys

**Opponents' Testimony:** None

**Informational Testimony:**

02:24:26 Wayne Ternes, Executive Director, Post-Council; Montana Public Safety Officers Standards and Training Council

**Questions from Committee Members and Responses:**

02:26:07 Rep. Ebinger  
02:26:43 Mr. Cashell  
02:27:02 Mr. Ternes  
02:27:05 Rep. Ebinger  
02:27:25 Mr. Ternes  
02:28:27 Rep. Bennett  
02:29:12 Mr. Cashell  
02:30:51 Rep. Ingraham  
02:31:28 Mr. Cashell  
02:32:53 Rep. Berry

02:34:28 Mr. Ternes  
02:37:08 Rep. Sands  
02:37:55 Mr. Ternes  
02:38:48 Rep. Menahan  
02:39:36 Mr. Olson  
02:41:11 Vice Chairman MacLaren  
02:41:31 Mr. Olson  
02:42:09 Rep. More  
02:42:44 Rep. Phillips

**Closing by Sponsor:**

02:43:26 Rep. Phillips  
02:46:14 Chairwoman Arntzen  
02:47:08 Rep. More  
02:47:39 Chairwoman Arntzen

**ADJOURNMENT**

02:47:57 Adjournment

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Katie Butcher, Secretary

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**Additional Documents:**

Testimony in support of HB 406.

Additional Documents:

**EXHIBIT ([loh31aad.pdf](#))**